

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LISA MATSON, on behalf of herself and those
similarly situated,
4 Woodcrest Drive
Easthampton, NJ 08060,
Plaintiff,

v.

SCO, SILVER CARE OPERATIONS, LLC
d/b/a ALARIS HEALTH AT CHERRY
HILL,
1417 Brace Road
Cherry Hill, NJ 08034

Civil Action No.:
17-cv-01918 (NLH)(KMW)

And

SOUTH CENTER STREET NURSING LLC
d/b/a ALARIS HEALTH AT ST. MARY'S,
135 South Center Street
Orange, NJ 07050

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

And

AVERY EISENREICH,
1347 E.23rd St.
Brooklyn, NY 11210

Defendants.

COUNSELORS:

PLEASE TAKE NOTICE, that upon the declaration of Stuart Weinberger, attorney of record for the Defendants, dated May 15, 2017, together with all the exhibit annexed hereto, the accompanying memorandum of law, and upon all of the pleadings and proceedings heretofore had

herein, Defendant SCO, Silver Care Operations, LLC d/b/a Alaris Health at Cherry Hill, South Center Nursing Home LLC d/b/a Alaris at St. Mary's, and Avery Eisenreich will move this Court at the United States Courthouse located at 4th and Cooper Streets, Camden, New Jersey, in courtroom 3A before the Honorable Noel L. Hillman, United States District Judge, on June 19, 2017, or as soon thereafter as counsel can be heard for an order: (i) dismissing the claim of a collective action, the class action, the claim for civil conspiracy in Count III, and all claims against Avery Eisenreich pursuant to Fed.R.Civ.P 12(b)(6); and, (ii) granting Defendants such other and further relief that to the Court deems just and proper.

Dated: New York, New York
May 15, 2017

/s/ Stuart Weinberger
Stuart A. Weinberger
Goldberg & Weinberger LLP
630 Third Avenue, 18th Floor
New York, New York 10017
(212) 867-9595 x 313

TO: Richard S. Swartz, Esq.
Justin L. Swidler, Esq.
Matthew D. Miller, Esq.
Daniel A. Horowitz, Esq.
Swartz Swidler, LLC

1101 Kings Highway N., Suite 402
Cherry Hill, New Jersey 08034

Attorneys for Plaintiff